

Message Text

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ACTION EB-11

INFO OCT-01 EUR-25 ISO-00 L-03 H-03 CAB-09 CIAE-00 COME-00

DODE-00 DOTE-00 INR-10 NSAE-00 RSC-01 FAA-00 OMB-01

TRSE-00 SS-20 NSC-07 SSO-00 PA-04 USIA-15 PRS-01

SP-03 DRC-01 /115 W

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P 262148Z APR 74

FM AMEMBASSY OTTAWA

TO SECSTATE WASHDC PRIORITY 3313

LIMITED OFFICIAL USE OTTAWA 1248

E.O. 11652: N/A

TAGS: ETRN, CA

SUBJECT: CIVAIR- CHARTER AGREEMENT: TEXT

1. APRIL 26 LETTER FROM EXTAFF READS AS FOLLOWS:

BEGIN TEXT

RE: CANADA-U.S. NONSCHEDULED AIR SERVICE AGREEMENT

THE AGREED MINUTES SIGNED ON DECEMBER 14, 1973 WHEN THE ABOVE AGREEMENT WAS INITIALLED STATED THAT AGREEMENT ON THE WORDING WAS REACHED "SUBJECT TO RESERVATIONS CONCERNING THE VERIFICATION OF THE TEXT BY THEIR LEGAL ADVISERS AND POSSIBLE DRAFTING IMPROVEMENTS..." A CAREFUL STUDY OF THE AGREEMENT REVEALED THAT ITS LANGUAGE IS, IN A FEW INSTANCES, AT VARIANCE WITH THAT OF THE CANADIAN TRANSPORT COMMISSION REGULATIONS IT MAKES REFERENCE TO. WE SUGGEST THEREFORE THAT THE FOLLOWING MESSAGE BE TRANSMITTED TO THE STATE DEPARTMENT AS SOON AS POSSIBLE FOR COMMENTS OR APPROVAL:

QUOTE: THE WORDS "SINGLE" IN CONNECTION WITH THE LIMITED OFFICIAL USE

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"ENTITY" CHARTER TYPE AND "PROPERTY" DENOTING GOODS

OR CARGO CARRIED ON A CHARTER FLIGHT ARE TERMS NOT
USED IN CANADIAN REGULATIONS. AS AN IMPROVEMENT TO THE
WORDING OF THE NONSCHEDULED AIR SERVICE AGREEMENT
INITIALLED IN OTTAWA ON DECEMBER 14, 1973, IT IS
SUGGESTED THAT, FOR THE PURPOSE OF CLARITY AND HARMONY
WITH CANADIAN REGULATIONS, THE FOLLOWING NEW PARAGRAPH
D BE INSERTED AFTER PARAGRAPH C INTO SECTION I OF
ANNEX B OF THE SAID AGREEMENT:

D. WITH RESPECT TO CHARTER AIR SERVICES ENPLANING
TRAFFIC IN THE TERRITORY OF CANADA,

(1) "SINGLE ENTITY" SHALL HAVE THE MEANING ASSIGNED
TO "ENTITY", AND

(2) "PROPERTY" SHALL HAVE THE MEANING ASSIGNED TO
"GOODS"

IN REGULATIONS OF THE CANADIAN TRANSPORT COMMISSION. UNQUOTE.
END TEXT

2. PLEASE ADVISE REACTION PROMPTLY.

PORTER

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Message Attributes

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Draft Date: 26 APR 1974
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Disposition Approved on Date:
Disposition Authority: garlanwa
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 28 MAY 2004
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
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